

Mar-10-1981

FILE: MINUTES

DESCRIPTION:

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
TUESDAY, MARCH 10, 1981  
AT 8:30 A.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING: The meeting was called to order by Mayor Wilson at 8:46 a.m. The meeting was recessed by Mayor Wilson at 8:50 a.m. into Closed Session in the Twelveth Floor Conference Room regarding pending litigation and meet and confer negotiations. The meeting was reconvened by Deputy Mayor Mitchell at 10:38 a.m. with Mayor Wilson and Councilmember Schnaubelt not present. The meeting was recessed by Deputy Mayor Mitchell at 10:39 a.m. into Housing Authority. The Housing Authority meeting was recessed by Deputy Mayor Mitchell at 10:43 a.m. into The Redevelopment Agency. The Redevelopment Agency meeting was recessed by Deputy Mayor Mitchell at 10:58 a.m. into Council Meeting. The Council Meeting was recessed by Deputy Mayor Mitchell at 10:59 a.m. into Closed Session in the Twelveth Floor Conference Room on pending litigation and meet and confer negotiations. The meeting was reconvened by Deputy Mayor Mitchell at 11:32 a.m. The meeting was recessed by Deputy Mayor Mitchell at 11:33 a.m. into Housing Authority. The Housing Authority was adjourned by Deputy Mayor Mitchell at 11:37 a.m. into City Council meeting. The meeting was recessed by Deputy Mayor Mitchell at 12:04 p.m. to reconvene at 2:00 p.m. The meeting was reconvened by Deputy Mayor Mitchell at 2:09 p.m. with Mayor Wilson and Councilmembers Cleator, Schnaubelt and Murphy not present. The meeting was recessed at 2:10 p.m. by Deputy Mayor Mitchell to meet as the Redevelopment Agency. The meeting was reconvened by Deputy Mayor Mitchell at 2:13 p.m. with Mayor Wilson and Councilmembers Cleator, Schnaubelt and Murphy not present. The meeting was recessed by Deputy Mayor Mitchell at 2:27 p.m. The meeting was reconvened by Deputy Mayor Mitchell at 2:30 p.m. with Mayor Wilson and Councilmembers Cleator, Schnaubelt and Murphy not present. The meeting was adjourned by Deputy Mayor Mitchell at 3:10 p.m.

ATTENDANCE DURING THE MEETING:

(M) Mayor Wilson-present.

(1) Councilmember Mitchell-present.

(2) Councilmember Cleator-present.

(3) Councilmember Golding-present.

(4) Councilmember Williams-present.

(5) Councilmember Schnaubelt-not present.

(6) Councilmember Gotch-present.

(7) Councilmember Murphy-present.  
(8) Councilmember Killea-present.  
Clerk-Abdelnour, Mutascio (jb,eb)

Mar-10-1981 ITEM-300:

FILE: MINUTES

DESCRIPTION:

Clerk Abdelnour called the roll:

Mayor Wilson-present.

Councilmember Mitchell-present.

Councilmember Cleator-not present.

Councilmember Golding-present.

Councilmember Williams-present.

Councilmember Schnaubelt-not present.

Councilmember Gotch-present.

Councilmember Murphy-present.

Councilmember Killea-present.

Mar-10-1981 ITEM-207:

DESCRIPTION: (R-81-1571) Authorizing the HOUSING COMMISSION to enter into a DENSITY BONUS AGREEMENT with Southern California Housing Development, Inc. (See Housing Commission Report HCR-81-038.)

FILE: (MEET)

COUNCIL ACTION:

(Tape location: C533-616).

Adopted as Resolution R-253764.

MOTION BY WILLIAMS TO ADOPT. Second by Gotch. Passed by the following vote: Mitchell-yea. Cleator-yea. Golding-yea. Williams-yea. Schnaubelt-not present. Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-not present.

Mar-10-1981 ITEM-330:

DESCRIPTION: REZONING a portion of the SOUTHEAST 1/4 of the NORTHWEST 1/4 of SECTION 10, TOWNSHIP 15 SOUTH, RANGE 3 WEST, S.B.B.M. (approximately 17 acres), located at the extension of Nancy Ridge Drive, westerly of Carroll Road, in the Mira Mesa Community Plan area, from ZONE A1-10 (Hillside Review) to ZONE M-1B. (Case-5-80-032. DISTRICT-1.)

Subitem-A: (R-81-1426)

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL IMPACT REPORT EIR-80-07-14 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council.

Subitem-B: (O-81-181)

INTRODUCTION of an ORDINANCE for M-1B Zoning.

Subitem-C: (R-81- )

Adoption of a RESOLUTION containing appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 in connection with ENVIRONMENTAL IMPACT REPORT EIR-80-07-14.

FILE: (ZONE 3/10/81)

COUNCIL ACTION:

(Tape location: A056-079).

Continued to March 17, 1981, at 8:30 a.m.

The hearing began at 8:46 a.m. and halted at 8:48 a.m.

MOTION BY MURPHY TO CONTINUE TO MARCH 17, 1981 AT 8:30 A.M. AT THE REQUEST OF

BRUCE WARREN, APPLICANT. Second by Williams. Passed by the following vote:

Mitchell-yea. Cleator-not present. Golding-yea. Williams-yea.

Schnaubelt-not present. Gotch-yea. Murphy-yea. Killea-yea. Mayor

Wilson-yea.

Mar-10-1981 ITEM-331:

DESCRIPTION: REZONING LOTS 45, 46 and a portion of LOT 47, BLOCK 257, UNIVERSITY HEIGHTS, AMENDED MAP G.A. d'HEMECOURT (approximately .33 acres), located on the west side of Alabama Street between University and Robinson Avenues, in the Park North-East Community Plan area, from ZONE C to ZONE R-3A. (Case-5-80-102. DISTRICT-2.)

Subitem-A: (R-81-1427)

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION END-80-11-10 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaratoin has been reviewed and considered by the Council.

Subitem-B: (O-81-182)

INTRODUCTION of an ORDINANCE for R-3A Zoning.

FILE: (ZONE 3/10/81)

COUNCIL ACTION:

(Tape location: A080-119)

Subitem-A adopted as Resolution R-253761.

Subitem-B introduced to be adopted March 23, 1981.

The hearing began at 8:48 a.m. and halted at 8:50 a.m.

Councilmember Cleator entered at 8:48 a.m.

MOTION BY KILLEA TO CLOSE HEARING, ADOPT SUBITEM A AND INTRODUCE SUBITEM B.

Second by Williams. Passed by the following vote: Mitchell-yea.

Cleator-yea. Golding-yea. Williams-yea. Schnaubelt-not present. Gotch-yea.

Murphy-yea. Killea-yea. Mayor Wilson-yea.

Mar-10-1981 ITEM-332:

DESCRIPTION: APPEAL of JOHN DAY, by Albert Tarvyd, Attorney, from the decision of the PLANNING COMMISSION, in DENYING PRELIMINARY PARCEL MAP PM-01-193-0,

which proposes a two-lot division of LOT 5, SORRENTO ESTATES, MAP-8735. The subject property located on the south side of Arroyo Sorrento Road, east of Tierra Del Sur in the A1-1 (Hillside Review) ZONE and within the boundaries of the North City West and Torrey Pines Community Plans. (PM-01-193-0. DISTRICT-1.)

Subitem-A: (R-81- )

Adoption of a RESOLUTION certifying that the information contained in FIRST AMENDMENT to ENVIRONMENTAL IMPACT REPORT EIR-76-07-26.1 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council.

Subitem-B: (R-81- )

Adoption of a RESOLUTION granting or denying the appeal and the map with appropriate findings to support Council action.

Subitem-C: (R-81- )

Adoption of a RESOLUTION containing appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 in connection with FIRST AMENDMENT to ENVIRONMENTAL IMPACT

REPORT EIR-76-07-26.1.

FILE: (PM-01-193-0 Sorrento Estates)

COUNCIL ACTION:

(Tape location: A120-170 and A532-580).

Continued to March 24, 1981, at 9:30 a.m.

Hearing began at 10:39 a.m. and halted at 10:47 a.m.

Trailed until after 11:00 a.m.

Hearing resumed at 11:32 a.m. and halted at 11:33 a.m.

MOTION BY GOTCH TO CONTINUE TO MARCH 24, 1981 AT 9:30 A.M. AT THE REQUEST OF

ATTORNEY ALBERT TARVYD, REPRESENTING THE APPLICANT, JOHN DAY. Second by

Murphy. Passed by the following vote: Mitchell-yea. Cleator-yea.

Golding-yea. Williams-yea. Schnaubelt-not present. Gotch-yea. Murphy-yea.

Killea-not present. Mayor Wilson-not present.

Mar-10-1981 ITEM-333:

DESCRIPTION: REZONING a portion of LOT 67, RANCHO MISSION OF SAN DIEGO, MAP-348 (approximately 17.5 acres), located on the north side of I-8, west of Waring Road, in the Navajo Community Plan area, from ZONES R-1-40 and CN to ZONE M-1B. (Case-5-80-070. DISTRICT-7.)

Subitem-A: (R-81-1425)

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION END-80-06-68 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (O-81-180)

INTRODUCTION of an ORDINANCE for M-1B Zoning.

FILE: (ZONE 3/10/81)

COUNCIL ACTION:

(Tape location: C070-149, D014-D180)

Subitem-A adopted as Resolution R-253765.

Subitem-B introduced, to be adopted March 23, 1981.

Hearing began 2:13 p.m. Hearing recessed 2:19 p.m. and resumed 2:55 p.m.

Hearing halted 3:09 p.m.

Councilmember Williams left 2:58 p.m.

Testimony in favor by John Rule and Henry Wilson.

MOTION BY MURPHY TO CLOSE THE HEARING, ADOPT SUBITEM-A AND INTRODUCE

SUBITEM-B. Second by Killea. Passed by the following vote: Mitchell-yea.

Cleator-yea. Golding-yea. Williams-not present. Schnaubelt-not present.

Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-not present.

Mar-10-1981 ITEM-334:

DESCRIPTION:

(R-81- ) (Continued from the Meeting of February 24, 1981; last continued at Councilman Murphy's request.) Paving and otherwise improving the ALLEY in BLOCK 1, TURNER'S SEA SHELL PARK, and CONTIGUOUS TO LOT 450, CROWN

POINT on

ASSESSMENT ROLL-3957. (1911 Street Improvement Act.) (DISTRICT-6.) Today's action is ADOPTION of a RESOLUTION CONFIRMING THE ASSESSMENT.

FILE: (STRT D-2210)

COUNCIL ACTION:

(Tape location: C150-225).

Adopted as Resolution R-253766.

Hearing began 2:19 p.m. and halted 2:25 p.m.

MOTION BY GOTCH TO CLOSE THE HEARING AND ADOPT. Second by Killea. Passed by

the following vote: Mitchell-yea. Cleator-not present. Golding-yea.

Williams-yea. Schnaubelt-not present. Gotch-yea. Murphy-not present.

Killea-yea. Mayor Wilson-not present.

ADDITIONAL BUSINESS:

DESCRIPTION: During consideration of the regular business item, the following resolution was adopted: (To reference the regular item, see R-80-0000) Authorizing the expenditure of \$15,490.50 as the City's participation

for the installation of a drain. (CIP-58-002)

COMMITTEE ACTION: CITY\_

COUNCIL ACTION: (Tape location: C150-225).

Adopted as Resolution R-253769.

MOTION BY GOTCH TO ADOPT. Second by Killea. Passed by the following vote:

Mitchell-yea. Cleator-not present. Golding-yea. Williams-yea.

Schnaubelt-not present. Gotch-yea. Murphy-not present. Killea-yea. Mayor Wilson-not present.

Mar-10-1981 ITEM-335:

DESCRIPTION: Proposal to AMEND CHAPTER X, ARTICLE 1, DIVISION 3 of the SAN DIEGO MUNICIPAL CODE by adding SECTIONS 101.0307, 101.0307.1, 101.0307.2, 101.0307.3, 101.0307.4 and 101.0307.5; and AMENDING DIVISION 9, SECTION 101.0900 to implement Title 7, Division 1, Chapter 4.3 of the California Government Code which requires that local agencies provide a density bonus to developers of housing who agree to provide at least 25 percent of the units of a housing project at prices and/or rents affordable to persons and/or families of low or moderate incomes. (Reviewed by T&LU on 2/9/81. Recommendation to INTRODUCE the ORDINANCE. Districts 3, 4, 5 and 7 voted yea. District 1 voted nay.)

Subitem-A: -33 0 0 (R-81-1549) -25

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL IMPACT REPORT EIR-80-06-57 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council.

Subitem-B: -33 0 0 (O-81-179 Rev.) -25

INTRODUCTION of an ORDINANCE amending Division 3 of the Municipal Code.

Subitem-C: -33 0 0 (O-81-183 Rev.) -25

INTRODUCTION of an ORDINANCE amending Division 9 of the Municipal Code.

Subitem-D: -33 0 0 (R-81- ) -25

Adoption of a RESOLUTION containing appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 in connection with ENVIRONMENTAL IMPACT REPORT EIR-80-06-57.

FILE: (MEET)

COUNCIL ACTION:

(Tape location: C235-532)

Subitem-A adopted as Resolution R-253767.

Subitem-B introduced, to be adopted March 23, 1981.

Subitem-C introduced, to be adopted March 23, 1981.

Subitem-D adopted as Resolution R-253768.

Hearing began 2:30 p.m. and halted 2:48 p.m.

Councilmember Cleator entered 2:33 p.m.

Testimony in favor by Bettie Shepherd.

Councilmember Murphy entered 2:45 p.m.

MOTION BY KILLEA TO CLOSE THE HEARING, ADOPT SUBITEM-A, INTRODUCE SUBITEMS-B

AND C, AND ADOPT SUBITEM-D, INCLUDING FINDINGS OF OVERRIDING CONSIDERATION.

Second by Williams. Passed by the following vote: Mitchell-yea.

Cleator-yea. Golding-yea. Williams-yea. Schnaubelt-not present. Gotch-yea.

Murphy-yea. Killea-yea. Mayor Wilson-not present.

Mar-10-1981 ITEM-S401:

DESCRIPTION: (R-81-1536) (Continued from the Meeting of March 3, 1981 at Councilman Murphy's request.) Authorizing the SAN DIEGO HOUSING COMMISSION to ACQUIRE the PROPERTY at 3630 Van Dyke, the property at 4149, 4155-57 Chamoune, the property at 4390 Maple, and the property at 1399 Hollister for the construction of PUBLIC HOUSING for rental to low income families; authorizing the CITY MANAGER to RELEASE \$432,500 from the FIFTH COMMUNITY DEVELOPMENT

BLOCK GRANT ENTITLEMENT YEAR, FUND 18515, DEPT. 5905, ORG. 5908 (Low Income

Housing Site Acquisition Project) for purchasing the following sites: (1) 3630 Van Dyke, \$86,000; (2) 4149, 4155-57 Chamoune, \$150,000; (3) 4390 Maple, \$68,000 and (4) 1399 Hollister, \$128,000.

FILE: (MEET)

COUNCIL ACTION:

(Tape location: B010-364).

Adopted as Resolution R-253763.

Motion by Murphy to reconsider the Council's action of March 9, 1981, which was to continue the matter to April 7, 1981. Second by Golding. Passed by the following vote: Yeas-1, 2, 3, 4, 6, 7,. Nays-None. Not present-M, 5, 8.

MOTION BY CLEATOR TO ADOPT. Second by Golding. Passed by the following vote: Mitchell-yea. Cleator-yea. Golding-yea. Williams-yea. Schnaubelt-not present. Gotch-yea. Murphy-yea. Killea-not present. Mayor Wilson-not present.

Mar-10-1981 ITEM-S500:

DESCRIPTION: (R-81-1594) RESCINDING Resolution R-251810 which was adopted on May 13, 1980; directing the CITY CLERK to RENOTICE a public hearing for further consideration concerning the APPEAL of the PARADISE HILLS-SKYLINE COMMUNITY PLANNING GROUP from the decision of the Planning Commission on February 21, 1980 which approved Parcel Map PM-79-411.

FILE: SUBD - Rancho de la Nacion, Section 100, Map 166

COUNCIL ACTION:

(Tape location: A170-186).

Adopted as Resolution R-253762.

MOTION BY WILLIAMS TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea. Cleator-yea. Golding-yea. Williams-yea. Schnaubelt-not present. Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-not present.

Mar-10-1981 ITEM-S501:

DESCRIPTION: The Matter of Army Corps of Engineers PERMITS for BEACH and SHORELINE RESTORATION.

FILE: (MEET)

COUNCIL ACTION:

(Tape location: C620-D013).

Report presented by City Manager.

Mar-10-1981

ADJOURNMENT:

FILE: MINUTES

DESCRIPTION:

MOTION BY KILLEA TO ADJOURN IN MEMORY OF HENRY FARB. Second by Gotch.



Passed

by the following vote: Mitchell-yea. Cleator-yea. Golding-yea.

Williams-not present. Schnaubelt-not present. Gotch-yea. Murphy-yea.

Killea-

Mayor Wilson-not present.